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BY FEDERAL EXPRESS

Honorable James Ware
United States District Judge
Department 8
Northern District of California
280 S. First Street
San Jose, CA 95113

FILED
AUG 05 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

Re: Masters v. Boston Scientific Corporation
U.S.D.C., N.D. Cal., Case No. 5:07-cv-03792-JW

Dear Judge Ware:

I represent plaintiff Donald Masters in the above matter. There is a Preliminary Pretrial Conference calendared for 11:00 a.m. on August 25, 2008. It would be very inconvenient for me to appear on that date, as I have a vacation planned for that week. I apologize for not informing you sooner.

Opposing counsel has agreed to reschedule this conference for 11:00 a.m. September 8, 2008. If this rescheduling is not convenient for the court, I would appreciate receiving alternatives.

Respectfully submitted,


Gregory S. Cavallo
Shopoff & Cavallo LLP

GSC:cm